Canadian Forces Grievance Board

2011-12

Report on Plans and Priorities

The Honourable Peter G. MacKay
Minister of National Defence

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Chairperson's Message

As the Chairperson of the Canadian Forces Grievance Board (CFGB), I am pleased to submit the CFGB's Report on Plans and Priorities for the period 2011-12 and 2012-13.

As we begin a new decade, we find ourselves facing new challenges that we will meet with the same enthusiasm that has served us so well and enabled us to move forward successfully in the first ten years of the Board's existence.

In 2011-12, we will be testing a new model for the referral of cases to the Board, known as the "principled approach". Under this model, the Board will review, at the final authority level, all grievances where the Canadian Forces (CF) have been unable to find a resolution acceptable to the grievor. During this trial period, the Chief of the Defence Staff and members of the CF will benefit from an independent review by the Board of all cases, regardless of the subject matter, before a final decision is rendered.

We have worked hard to prepare for this trial period, which is expected to result in a significant increase in the number of cases referred to the Board. This is a challenge that we are determined to meet, because we are deeply convinced of the advantages offered by this new model, both for the grievance system, which will be more robust and transparent as a result, and for the members, who will have the opportunity to have an external review of their cases regardless of the nature of the grievance.

At the same time, the Board will continue to share with the senior leadership and members of the CF important information on issues raised by the military grievances that we review. By publishing case summaries, recommendations on systemic issues, articles and bulletins, and through our regular contacts with the key stakeholders in the grievance process and with our partners, we share with decision-makers our observations on issues relating to the administration of the CF. The Board and I believe that these observations are extremely useful for preventing problems, as well as for aiding in the review and resolution of similar grievances.

With respect to our internal services, the Board will continue consolidating its administrative processes with a view to maintaining the standards of excellence it has set for itself. As we strengthen our work tools and systems, we will also focus on promoting and strengthening the safety and security of our staff and our workplace through a variety of initiatives, including, in the coming months, the finalization of our departmental security plan.

Our objective remains to fulfil our mandate and realize our vision of serving as a centre of expertise and a model administrative tribunal. All members of the CFGB team will continue to work together for the period covered by this report and beyond to ensure that we meet this objective.

Bruno Hamel
Chairperson

Section I – Overview

Raison d'être and Responsibilities

Raison d'être

The *raison d'être* of the Canadian Forces Grievance Board (CFGB or the Board) is to provide an independent and external review of military grievances. Section 29 of the *National Defence Act* (NDA) provides a statutory right for an officer or a non-commissioned member who has been aggrieved, to grieve a decision, an act or an omission in the administration of the affairs of the Canadian Forces (CF). The importance of this broad right cannot be overstated since it is, with certain narrow exceptions, the only formal complaint process available to CF members.

Responsibilities

The Board is an independent administrative tribunal reporting to Parliament through the Minister of National Defence.

The Board reviews military grievances referred to it and provides findings and recommendations (F&Rs) to the Chief of the Defence Staff (CDS) and the officer or non-commissioned member who submitted the grievance.

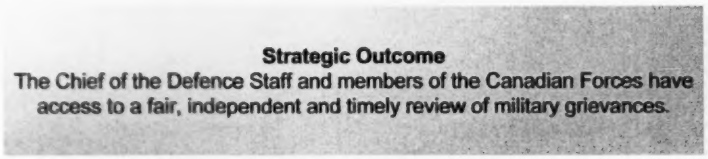
The Board also has the obligation to deal with all matters before it as informally and expeditiously as the circumstances and the considerations of fairness permit.

Strategic Outcome and Program Activity Architecture (PAA)

In order to effectively deliver on its mandate, the Board aims to become the centre of expertise in military grievances and a model administrative tribunal, through its fair and efficient processes, professionalism and good governance.

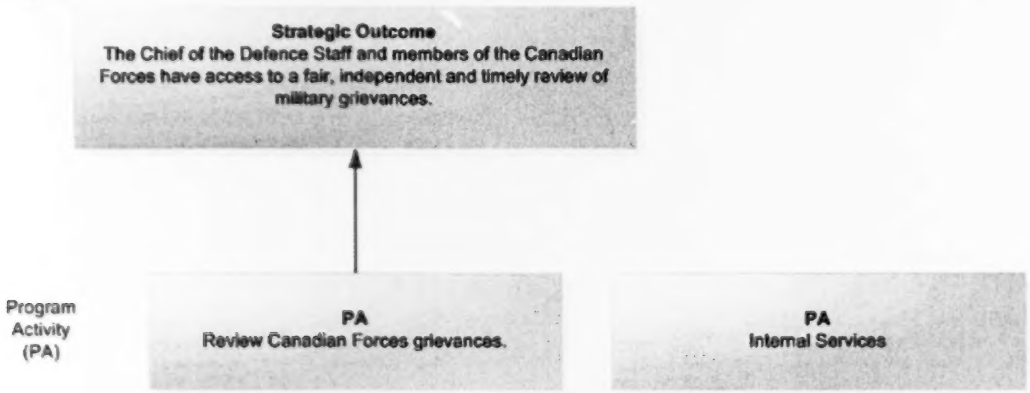
Strategic Outcome

Figure 1


Strategic Outcome
The Chief of the Defence Staff and members of the Canadian Forces have access to a fair, independent and timely review of military grievances.

Program Activity Architecture (PAA)

Figure 2


Strategic Outcome
The Chief of the Defence Staff and members of the Canadian Forces have access to a fair, independent and timely review of military grievances.
Program Activity (PA)
PA
Review Canadian Forces grievances.
PA
Internal Services

PAA Crosswalk

The 2011-12 Report on Plans and Priorities (RPP) details the Board's plans, priorities and expected results against the Board's new Strategic Outcome (SO) and Performance Measurement Framework. The new SO more accurately reflects the Board's mandate and vision and was approved as part of the Treasury Board Secretariat amendments process for 2011-12 and future year Estimates. As well, the allocation of spending and FTEs between the two program activities has been adjusted to ensure that the Board has the best possible information available regarding the costs of operations.

It is important to note that the 2011-12 Departmental Performance Report will be the first report to assess performance based on the revised and improved indicators and targets.

Planning Summary

Financial Resources

Financial Resources	2011-12	2012-13	2013-14
($ thousands)	6,683	6,683	6,683

Human Resources *

Human Resources	2011-12	2012-13	2013-14
Full-Time Equivalents (FTEs)	46	46	46

*Includes Board Members appointed by Governor in Council.

Planning Summary Table

Strategic Outcome: The Chief of the Defence Staff and members of the Canadian Forces have access to a fair, independent and timely review of military grievances.	
Performance Indicators	**Targets**
Percentage of clients who are satisfied with the Board's ability to improve the administration of the affairs of the Canadian Forces (CF) through the quality of its Findings and Recommendations (F&Rs) and the information tools it provides.	Data Source: Survey & interview of CF members, decision makers & administrators. At least 75% of respondents agree and strongly agree.
Trend in the % of surveyed grievors who are satisfied with the fairness, equity and transparency of the process.	Data Source: Grievor Survey. 70% of grievors agree and strongly agree.
% of Systemic recommendations accepted by the Chief of the Defence Staff (CDS).	Data Source: CDS Decisions where he agreed a systemic recommendation merited further action. 75% accepted.
% of CFGB's grievance process timeline standards met.	Data Source: CFGB statistics and monitoring information. Established standards are being met 75% of the time.

Program Activity	Forecast Spending 2010-11	Planned Spending ($ thousands)			Alignment to Government of Canada Outcomes
		2011-12	**2012-13**	**2013-14**	
Review of Canadian Forces grievances	3,727	4,415	4,415	4,415	Well-managed and efficient government operations
Total Planned Spending	**3,727**	**4,415**	**4,415**	**4,415**	

Program Activity	Forecast Spending 2010-11	Planned Spending ($ thousands)			
		2011-12	**2012-13**	**2013-14**	
Internal Services	1,670	2,268	2,268	2,268	
Total Planned Spending	**1,670**	**2,268**	**2,268**	**2,268**	

Contribution of Priorities to Strategic Outcome

Operational Priorities	Type	Links to Strategic Outcome	Description
1. Operational Performance – Ensure optimum productivity and excellence	Ongoing	The Chief of the Defence Staff and members of the Canadian Forces have access to a fair, independent and timely review of military grievances.	**Why is this a priority?** Ensure the high quality and timeliness of the Board's F&Rs and ongoing contribution to the fairness and efficiency of the grievance system for CF members.
			Plans for meeting the priority. ▪ Work in cooperation with the CF in establishing a full scale trial of a new approach to the referral of cases to the Board. ▪ Participate in the 5 year review of the NDA. ▪ Manage and monitor production timelines. ▪ Conduct assessments of the Board's internal review processes and monitor workload planning assumptions. ▪ Assure the quality of F&Rs: • Monitor and report on CDS responses to systemic recommendations. • Follow-up on the impact of the CDS decisions.
2. Communicate the results of our review of grievances.	Ongoing	The Chief of the Defence Staff and members of the Canadian Forces have access to a fair, independent and timely review of military grievances.	**Why is this a priority?** Ensure that stakeholders have a better understanding of the Board's role within the CF grievance system. Share the Board's perspective on issues that came to our attention while reviewing grievances.
			Plans for meeting the priority. ▪ Communicate the Board's role within the CF Grievance System: • Conduct evaluations of the effectiveness of communications activities. • Continue to develop tools to obtain feedback from stakeholders and target audiences.

Management Priorities	Type	Links to Strategic Outcome	Description
3. Operational Performance – Maintain the overall effective management and leadership of the CFGB.	Ongoing	The Chief of the Defence Staff and members of the Canadian Forces have access to a fair, independent and timely review of military grievances.	**Why is this a priority?** Meet government-wide management and accountability priorities through management excellence and sound internal governance. **Plans for meeting the priority.** ■ Evaluate the impact of the implementation of new approach to grievance referral on the organisational structure and align the Board's resources accordingly. ■ Implement the recommendations from the CFGB's 5 year Review of Military Grievances Program Evaluation conducted in 2010. ■ Complete the migration of the corporate network drive into the Board's Information Management System RDIMS. ■ Implement an initiative to enhance users' I.T. tools, software and operating systems. ■ Undertake awareness initiative on the new CFGB's Code of Conduct. ■ Ensure safety and security of workplace and workforce: • Develop the CFGB's Departmental Security Plan; • Implement the recommendations of the Threat and Risk Assessment (TRA) conducted in 2010. ■ Enhance management practices and procedures to ensure the Board is consistent with the Management Accountability Framework (MAF) areas of management and lines of evidence.

Risk Analysis

External Context

In 2009, the CFGB, in coordination with the CF, began evaluating a new model for the referral of grievances, which the Board believes will add to the fairness and transparency of the military grievance process. Currently the *Queen's Regulations and Orders for the Canadian Forces* (QR&Os) stipulate that only certain categories of grievances are referred to the Board for review. Therefore, not every grievor whose grievance has reached the Final Authority (FA) level benefits from the Board's external review of his or her complaint.

Under this new '*principled approach*' to grievance referrals, the Board would review all grievances at the final authority level where the CF is unable to resolve the matter to the satisfaction of the grievor. In those cases, the CDS and the CF member would benefit from the Board's independent review before a final decision is rendered. In October 2010, the Armed Forces Council approved a six-month trial of this approach which commenced in January 2011. During the trial period, the CFGB will continue working on files normally referred under the QR&Os as well as any other category of unresolved grievance, which will result in an increase in the number of cases referred to the Board. If the trial period is successful and the Principled Approach adopted by the CF, amendments to the NDA and QR&Os may be required to fully implement this initiative.

Key Risks

Several factors influence the Board's operating environment. There are three interrelated key risks that can affect the Board's ability to deliver on its mandate.

The first area of risk is that the Board has no control over the number of grievances referred to it in any given year. Significant, unpredicted fluctuations in the volume of cases referred would have an impact on our ability to deliver high-quality F&Rs to the CF in a timely manner. Similarly, significant fluctuations would have an impact on the financial and human resources planned by the Board. To mitigate this risk the Board will focus on developing and enhancing processes and tools to support quality assurance. As well it will continue to monitor workload planning assumptions on an ongoing basis and work in consultation with stakeholders within the CF to base these assumptions on the most up-to-date information possible.

The second risk area pertains to the Board's capacity to recruit and retain a skilled workforce. The Board's effectiveness is due in large part to its knowledgeable and stable workforce. However, like in other micro agencies, it is difficult to retain employees when, for the most part, the size of the organization limits the number of opportunities for advancement. In response, the Board will continue to maintain effective integrated human resource planning, anticipating potential staff turnover and developing staffing strategies to help ensure that knowledge is retained and vacancies are appropriately filled, as quickly as possible.

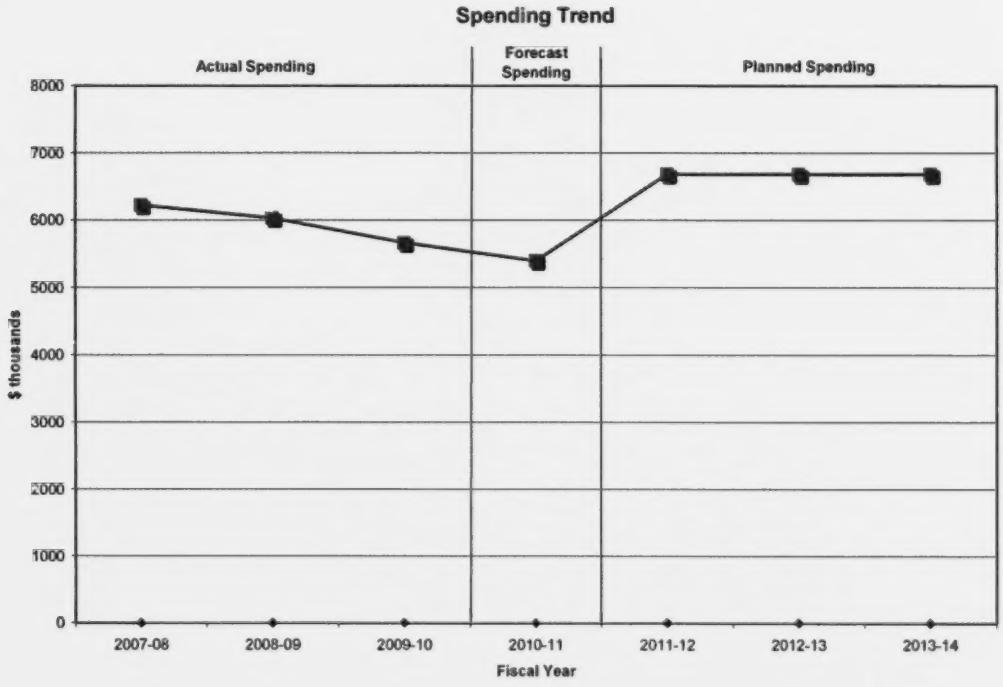
The third risk concerns issues relating to the integrity and completeness of information facing the Board's corporate functions. As other small organizations, the Board is faced with small pools where corporate knowledge resides and is vulnerable to departures in key positions which may result in inefficiency and ineffective use of time and resources. To mitigate this

risk the Board is focussing on enhancing tools and systems to support effective knowledge management and knowledge transfer.

Expenditure Profile

For 2011-12 fiscal year, the Board plans to spend $ 6.683 million to meet the expected results of its program activities and contribute to its strategic outcome. Over the past few years, the Board has generally been consistent in its rate of spending. In 2010-11 and 2011-12, the Board intends to manage the anticipated increase in workload resulting from the trial of the new 'principled *approach*' within existing allocations.

Figure 3



Estimates by Vote

For information on our organizational vote and statutory expenditures, please see the 2011-12 Main Estimates publication. An electronic version of the Main Estimates is available at http://www.tbs-sct.gc.ca/est-pre/20112012/me-bpd/info/info-eng.asp.

Section II – Analysis of Program Activities by Strategic Outcome

The following analysis outlines how the Board allocates and manages resources to achieve the expected results identified under its two Program Activities and to contribute to its strategic outcome.

Strategic Outcome

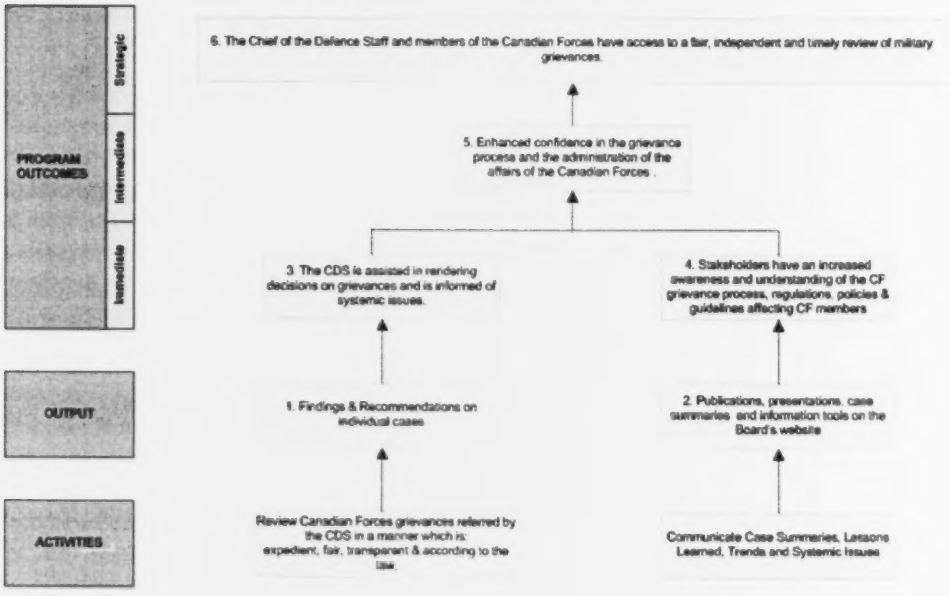
Figure 4

Strategic Outcome
The Chief of the Defence Staff and members of the Canadian Forces have access to a fair, independent and timely review of military grievances.

The Board's Logic Model, at Figure 5, illustrates how each of the items contributes to the fulfillment of the Board's strategic outcome.

Figure 5

Logic Model for the Canadian Forces Grievance Board


PROGRAM OUTCOMES
Strategic
Intermediate
Immediate
OUTPUT
ACTIVITIES
6. The Chief of the Defence Staff and members of the Canadian Forces have access to a fair, independent and timely review of military grievances.
5. Enhanced confidence in the grievance process and the administration of the affairs of the Canadian Forces .
3. The CDS is assisted in rendering decisions on grievances and is informed of systemic issues.
4. Stakeholders have an increased awareness and understanding of the CF grievance process, regulations, policies & guidelines affecting CF members
1. Findings & Recommendations on individual cases
2. Publications, presentations, case summaries and information tools on the Board's website
Review Canadian Forces grievances referred by the CDS in a manner which is: expedient, fair, transparent & according to the law.
Communicate Case Summaries, Lessons Learned, Trends and Systemic Issues

Program Activities by Strategic Outcome

Program Activity: Review Canadian Forces grievances					
Human Resources (FTEs) and Planned Spending ($ thousands)					
2011-12		2012-13		2013-14	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
32	4,415	32	4,415	32	4,415

Program Activity Expected Results	Performance Indicators	Targets
Intermediate Outcome – Enhanced confidence in the grievance process and the administration of the affairs of the Canadian Forces.	% of stakeholders that agree that the external review provided by the CFGB adds to the adjudicative fairness of the process.	Data Source: Stakeholders Survey. 75% of stakeholders agree and strongly agree.
Immediate Outcome – The Chief of the Defence Staff is assisted in rendering decisions on grievances and is informed of systemic issues.	% of F&Rs with which the CDS disagrees on the basis of errors in law or fact.	Data Source: CDS Decisions. Less than 10% of the cases upon which the CDS disagrees, or 1% of all files.
Immediate Outcome – Stakeholders have an increased awareness and understanding of the CF grievance process, regulations, policies and guidelines affecting Canadian Forces members.	% of positive feedbacks from CF Initial authorities on the usefulness of publications of case summaries, systemic recommendations and lessons learned.	Data Source: Interviews of CF Initial Authorities. 75% of respondents agree and strongly agree.

Program Activity Summary: The Board conducts an independent and external review of military grievances to ensure a fair grievance process and compliance with policies and regulations. The F&Rs issued by the Board contribute to the sound administration of the affairs of the CF. The Board's review of a military grievance can also reveal broad or systemic issues. Through its F&R, the Board offers information to stakeholders that may help prevent problems or to improve policies or procedures.

For information on our program activity description, refer to the 2011-12 Main Estimates publication. An electronic version of the Main Estimates is available at http://www.tbs-sct.gc.ca/est-pre/20112012/me-bpd/info/info-eng.asp.

Planning Highlights

In order to achieve the expected results, the following highlights some of the key activities which the Board plans to undertake during 2011-12:

- **Trial of a new *'principled approach'*.**

  Under the current model, not every grievor has the opportunity to have an external review of their grievance since regulations stipulate that only certain categories of grievances are referred to the Board.

  Discussions have been underway with the CF to refer grievances to the Board using a "*principled approach*", in which the Board would review all grievances in those cases where the CF are unable to find a resolution acceptable to the grievor. In such cases, the Board would provide the benefit of an independent and external review before the CDS renders a decision. The CF has approved a six-month trial of this approach. The results of this trial will be evaluated in 2011-12; should this approach be adopted, amendments to the NDA and QR&Os may be required to fully implement this initiative.

- **Communicate the results of our review of grievances.**

  Through its publication of case summaries and articles, the Board provides real-time important information to senior leadership, decision makers, administrators and CF members. The Board will conduct evaluations of the effectiveness of communications activities and will continue to develop tools to obtain feedback from stakeholders and target audiences.

  In reviewing individual grievances, the Board sometimes makes findings with respect to a policy or a regulation affecting more than one member. In these cases, the Board makes the CDS aware that a broader problem may exist through a recommendation. When the Board makes a recommendation regarding a systemic issue within the CF, the Board publishes its recommendation on its website and reports on the CDS response and actions taken, if accepted. Through its publication of these recommendations, the Board proactively provides real-time information to both the public and stakeholders on issues pertinent to the administration of the affairs of the CF.

Benefits to Canadians

The Board's unique position as an organization independent and external to the Department of National Defence (DND) and the CF adds adjudicative fairness to the CF grievance system in support of government values of equity, transparency and fairness. The expectation of fair treatment in respect of a complaint contributes to the morale and esprit de corps of CF members.

The Board endeavours to work with the CF to provide a timely and relevant grievance process which contributes to the effectiveness of the administration of the CF.

Program Activity: Internal Services					
Human Resources (FTEs) and Planned Spending ($ thousands)					
2011-12		2012-13		2013-14	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
14	2,268	14	2,268	14	2,268

Program Activity Summary: Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations or an organization. These groups are: Management and Oversight Services; Communication Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; Acquisition Services and Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across an organization and not to those provided specifically to a program.

Planning Highlights: In order to achieve the expected results, the following provides highlights of the key internal services and activities in 2011-2012:

- Evaluate the impact of the implementation of the new approach to grievance referral on the organisational structure and align the Board's resources accordingly.
- Implement the recommendations from the CFGB's 5 year Review of Military Grievances Program Evaluation conducted in 2010.
- Renewal of the Board's systems and infrastructure (including desk-top and operating systems and records management).
- Continue to build upon the Board's commitment to Values and Ethics through increasing awareness of the new CFGB Code of Conduct.
- Continue to promote the safety and security of the workforce and workplace through enhanced training and integrating security awareness within the Board's culture.
- Develop the CFGB Departmental Security Plan.
- Implement the recommendations of the Threat and Risk Assessment (TRA) conducted in 2010.
- Enhance management practices and procedures to ensure the Board is consistent with the Management Accountability Framework (MAF) areas of management and lines of evidence.

Section III – Supplementary Information

Financial Highlights

The financial highlights presented within this RPP are intended to serve as a general overview of the CFGB's operations. The Board's financial statements can be found on the CFGB's website at: http://www.cfgb-cgfc.gc.ca

Future-oriented Financial Statements

($ thousands)

Future-oriented Condensed Statement of Operations For the Year (Ended March 31)	**% Change**	**Future-oriented 2011-12**	**Future-oriented 2010-11**
EXPENSES Total Expenses	25.55%	7,067	5,629
REVENUES Total Revenues	-	-	-
NET COST OF OPERATIONS	**25.55%**	**7,067**	**5,629**

($ thousands)

Future-oriented Condensed Statement of Financial Position For the Year (Ended March 31)	**% Change**	**Future-oriented 2011-12**	**Future-oriented 2010-11**
ASSETS Total assets	-8.70%	693	759
LIABILITIES Total liabilities	-0.43%	1,375	1,381
EQUITY	9.65%	-682	-622
TOTAL		**693**	**759**

Supplementary Information Tables

The following electronic information table is located on the Treasury Board of Canada Secretariat's website at: http://www.tbs-sct.gc.ca/rpp/2011-2012/info/info-eng.asp.

- Greening Government Operations

Section IV – Other Items of Interest

Visit the Board's Web site at http://www.cfgb-cgfc.gc.ca/ for more information. We invite you to consult some of the grievance cases for which the Board has issued F&Rs in the Case Summaries section, which is updated on a regular basis as well as statistical data over the last five years in the Statistics section. You can also learn more about the Board's role in the Canadian Forces Grievance Process section

Contacts for Further Information

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